

Franklin County Commissioners
October 24, 2016
Commissioners/Council Meeting Room 203

Commissioners: Tom Wilson, Tom Linkel and Eric Roberts
Commissioners Secretary: Carol Westerman
Auditor: Stephen Brack

Open: The meeting was called to order by President Tom Wilson and opened with the Pledge of Allegiance.

Drainage Board: A motion was made by Tom Wilson to open the Drainage Board Meeting and was 2nd by Tom Linkel. Motion carried.

County Surveyor – Joe Gillespie: Mr. Gillespie had 3 items of business for the Drainage Board.

#1. Jeff Myers – Mr. Gillespie stated he had spoken with Mr. Myers regarding a county ditch on his property and they would like to petition to make this a legal drain. The open ditch is very inconvenient to the farmers in the area. Mr. Gillespie had invited 5 landowners to the meeting to give their opinions. There was no decision made and the hearing is to be continued. Mrs. Ramsey spoke up from the audience stating that they took care of a drain on their property at their own expense. Mr. Myers is asking other landowners to help with the expense. The next step is for the Drainage Board to be the administrator. An assessment would be made to all landowners and they would pay on this when they pay their property taxes. A motion was made by Tom Linkel to proceed and to make Jeff Myers ditch a public ditch and was 2nd by Eric Roberts. Motion carried. Mr. Gillespie will determine the boundaries and approximate cost of new tile.

#2. Don Jones/Jerry Erfman: Mr. Jim Albertz who is a professional Engineer has been hired by Don Jones on a ditch problem involving both Mr. Jones and Mr. Erfman. Mr. Albertz stated he is working on a solution to this problem. In 2014 there was a Commissioner change and Mr. Gillespie wasn't sure if Commissioner Roberts was aware of the problem. Mr. Roberts stated he had been attending the meetings and was aware. It was stated that this ditch problem was an Unintentional Obstruction. Mr. Albertz shared that a solution would be to install a tile 24" in diameter and the elevation is wrong. President Wilson asked Attorney John Worth to check into the legal responsibilities and what the law says the Board needs to do and to report back at the November 7, 2016 meeting. Mr. Albertz stated that he thought this was an Intentional Obstruction. Commissioner Linkel stated that he were Mr. Jones he would want the problem fixed. Mr. Erfman stated as long as he owned the property no construction would be done. Mr. Worth stated that he thought a meeting with all parties needed to be held, which would include about 14 landowners. Commissioner Roberts is concerned about undue harm to the Golf Course.

#3. Area Plan Commission: Last week at the Area Plan meeting several people attending concerning the application, dated October 4, 2016 for Rezoning of property of Mr. and Mrs. Scott Cooper to allow for a Concentrated Animal Feeding Operation (CAFO). There is a 33 day window from the date of application deadline that IDEM will accept public comment. Mrs. Delores Dobbs stated that everyone within a ½ mile needs to be notified. She stated that they were not against the setup but against the location, stating it just doesn't make sense. This would be an operation of approximately 10,000 hogs and the owners would also be storing manure in a self-contained, below ground, concrete manure storage pit which would provide in excess of 180 days storage. Surveyor Gillespie agreed with Mrs. Dobbs on the

location. Daryl Kramer spoke up as a representative of Farm Bureau and said that IDEM was very restricted and that more time is needed so all sides could present their viewpoints, 2 weeks which would be Nov. 7. Mr. Kramer was firm as he wanted no change to the zoning code. Commissioner Roberts said that the Drainage Board has nothing to address and nothing has been asked or proposed at this time. A letter may be sent after the Nov. 7 meeting. The next step for the Cooper's is to come to Area Plan and ask for a conditional use permit. Mr. Gillespie stated he didn't think this would be approved as it is not permitted use in Residential 1.

Adjourn: A motion was made by Tom Linkel to adjourn the Drainage Board meeting and was 2nd by Eric Roberts. Motion carried.

Commissioners Meeting:

A motion was made by Tom Wilson to open the Commissioners Meeting and was 2nd by Tom Linkel. Motion carried.

Strohmier Estate: Glen Strohmier didn't show up for the meeting.

Public Transportation – Cathy Pelsor: was present to ask the Commissioners to sign the 2017 Grant. A motion was made by Eric Roberts to authorize President Wilson to sign the Grant and was 2nd by Tom Linkel. Motion carried.

Property & Liability Insurance: There were 2 quotes on this coverage – Southeastern Insurance and Patriot Insurance. These quotes will be taken under advisement and award at a meeting on Oct. 28 at 10:00AM. It is noted that this doesn't need to be advertised yearly.

Minutes: A motion was made by Tom Linkel to approve the minutes of the previous meeting and was 2nd by Eric Roberts. Motion carried.

Claims: A motion was made by Tom Linkel to approve and was 2nd by Eric Roberts. Motion carried.

Clerks Report: A motion was made by Eric Roberts to acknowledge receipt of the Clerk's report and was 2nd by Tom Linkel. Motion carried.

Highway Bidders – 2017: A discussion was held concerning the list for 2017 and Commissioner Roberts felt the need to breakdown the bids and re-evaluate. He wanted this redefined at the Nov. 7 meeting and open bids on Dec. 5.

Franklin County Highway – Ted Cooley: Mr. Cooley stated he would be attending a meeting in Seymour on Tuesday regarding the CCMG. A list of projects for Sept. 8 and 9 regarding Storm/Flood Disaster. Rockies Express – excavation/road closures and the bond is in place and waiting for signed permit. Road closures of Whistle Creek, Wolf Creek and Indian Creeks may need to be done to inspect the underground high-pressure natural gas pipeline. The roads may be closed 2 to 3 days. FHWA 2021 awards on St. Mary's Road Rehabilitation and St. Mary's and Blue Creek Road Guardrail application project.

Harry Graves: Mr. Graves said he been to the Commissioners regarding the misallocation of funds by the Auditors Office to the Town of Brookville and since there is no proof of the incorporation of the town of Brookville the money should stay with the County and not given to the town. He asked if the Commissioners, as elected officials, agreed that they can be sued as a Corporation. President Wilson said No. Franklin County is a municipality and not a corporation. He asked Attorney Worth to put this in writing. He also would like clarification, writing, the difference of County of Franklin or Franklin County. Mr. Graves asked if the contract with SRI was approved by the Attorney. Mr. Worth stated this is a violation between Attorney and Client privilege and he couldn't discuss. He also asked who approved the SRI contract. He also complained that the Tax Sale is a legal court case and did the Commissioners approve the Auditor to file a law suit. Mr. Graves doesn't think procedures are being followed.

MED-BEN: Transitional Reinsurance Program Fees: A motion for President Wilson to sign the paperwork for Med-Ben was made by Eric Roberts and 2nd by Tom Linkel. Motion carried.

Millie Simmermeyer: Came back and asked for answers to her questionnaire that was given at the last meeting. Brian DeFossett, Highway foreman said the foremen are responsible for selling scrap metal. They call 3 businesses to get the best price: Integrity Metal, Garden Street and Hillside Recycling. Commissioner Linkel said there is not market for used oil. He commented that he is interested in used oil to heat his shop and possibly some farmers may be interested as well. The state has strict regulation about who may haul used oil. Mr. DeFossett said the highway burned all of its used oil the last 2 years to heat the garage. Mr. Linkel stated the county will develop a protocol for how to dispose of used oil.

Payroll: A motion to approve payroll was made by Eric Roberts and 2nd by Tom Linkel. Motion carried.

Other business:

Franklin County Highway – Garage Mechanic 1: Commissioner Linkel stated that the mechanics 90 days was nearing and he needed some direction regarding a work schedule. Commissioner Roberts said he thought this mechanic was doing a good job and if he is working less than 40 hours it is OK with him. Commissioner Linkel said he would get with Brian and a work schedule will be made for Kevin.

Adjourn: A motion was made by Tom Wilson to adjourn and was 2nd by Tom Linkel. Motion carried.

Others in attendance: Betty Lecher, Mildred Simmermeyer, James Murney, Brent Roberts, Roy Harvey, Jr., Jeff Myers, Harold Ramsey, Cathy Pelsor, Paul Moster, Donnie Jones, Donna Ramsey Mathias, Delores Dobbs, Robert Braun, Sara Duffy, Kohlsdorf, Ted Cooley, Jim Albertz, Becky Oglesby, Carolyn Erfman, Jerry Erfman, Tim George, Daryl Kramer, Harry Graves. The names are spelled as per the sign in sheet.

AYE


Tom Wilson


Tom Linkel


Eric Roberts

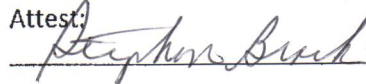
NAY

Tom Wilson

Tom Linkel

Eric Roberts

Attest:


Stephen Brack, Auditor